

## MINUTES OF LABOR AND EMPLOYMENT LAW SECTION

### EXECUTIVE COUNCIL MEETING

February 23, 2009

I. **Call to Order** – Alan Forst (GHEMRFL) called the meeting to order.

II. Secretary/Treasurer Report.

A. **Consideration of Minutes** – Steve Meck attended the last conference. Gregory Hearing moved to amend the minutes, which was seconded by Dan Levine. The minutes were approved unanimously, with amendment, without further discussion.

B. **Financial Statement** – The financial statement was reviewed. The current fund balance is \$184,415. There were no questions regarding the financials.

III. **Committee and Subcommittee Reports:**

A. **Membership Outreach** - Scott Fisher is working on a seminar—not just any seminar, a really good seminar. Don Ryce will assist Scott in putting together a seminar for the St. Pete Bar - the speakers are already committed.

B. **ABA Liaison** – Bill Cassidy gave the report. The Executive Committee approved the sponsorship for the Orlando meeting on April 1, 2009. Jeannette Albo and Bill will attend that meeting. Our section needs to send out an email blast to its members about the meeting. Alan Forst said an email blast will be done and the information put on the web page.

C. **Law School Liaison** – Jonathan Oliff gave the report. He wants to find others from the Section who will speak at law schools. The scholarship information for the law schools must proceed through them, but it is ultimately up to each school to select the scholarship recipient.

D. **New Membership** - Patrick Martin is involved in the Young Lawyers Division. Patrick is working with Chelsie Roberts on reaching out to the Young Lawyers Division. The Basic Skills Seminar is set for March 26 in Miami and March 27 in Tampa. The goal is to deliver printed copies of the Check-Off to these Seminars.

E. **Long Range Planning** – Cary Singletary provided the report. They are working on the following goals from the retreat in 2008: One, to increase the reimbursements to EC members attending EC meetings; two, orientation of new council members; and three, the Check-Off will be sent via e-mail to all Section members.

F. **Legal Education** - Jill Schwartz thanked David Block and Susan Dolin for the excellent seminar and high attendance. Greg Hearing has put together great programs, including the Presidential Showcase with Alan Forst on May 7, 2009. Greg stated that webinars have taken place on January 14<sup>th</sup> with 41 registered, January 27<sup>th</sup> with 25 registered and February 10,

with 21 registered. They have 3 more webinars planned. The Government Seminar is March 11<sup>th</sup> in Tallahassee. In August, there is a litigation seminar planned. Also, there is a Florida Bar meeting at the Bar's Tampa office in September, which focuses on diversity. They are proposing a live panel at this meeting. Grier Wells stated the Florida Bar has put on a program for in-house and private sector attorneys with panel discussions on diversity in the past; therefore, we need to coordinate with the Bar so it is not a program that was done previously. For the Advanced Labor Topics in Washington, DC, Bob Turk stated that Alan was extremely helpful in recruiting speakers for that event. There will be speakers from different agencies, such as the NLRB, EEOC, OSHA and FLSA. There will be tour of the Capitol and the Supreme Court and a reception Friday night, followed by an optional outing to see the Capitol Steps. Cynthia Sass stated that Friday for the Advanced Labor Topics will provide an update on Florida law, ethics and discovery from both the Plaintiff and Defense prospective, a Supreme Court update and civil rights and voting rights presentations. Alan (Ali G.) Gerlach reported that there is a seminar sponsored by Tulane in San Antonio on May 14<sup>th</sup> through May 16<sup>th</sup> that will be attended by Alan Forst, riding the coattails of Eric Holshouser.

G. Judicial Outreach – Jeannette Albo and Zascha Blanco Abbott are excited about this subcommittee. They are working on putting on a CLE seminar for the judiciary this summer. Sasha has spoken with Dade County and is trying to arrange a seminar with employment law topics. Jill Schwartz stated that seven years ago they held a seminar for the judiciary that was very well received.

H. Publications – Frank Brown reported that they have articles for the next edition of the Journal. Shane Munoz stated he has received articles for the next edition of the Check-Off. Cathleen Scott agreed to contribute to the case notes. By the end of March, the plan is to have another edition of the Check-Off published. Per Alan Forst, at the end of June they will have the final Check-Off in place for the Florida Bar meeting. The Check-Off publications have been excellent. Marc Snow reported that the webmaster is completed and updated. Alan Forst said he received compliments on our new web site.

I. Special Projects. Alan Gerlach reported that he and Leslie Langbein spoke with various law schools with regard to unemployment clinics. Deb Brown is waiting to hear back on internships for the unemployment clinics. Damon Kitchen mentioned that mentorship for the Labor and Employment Section was not yet resolved. Damon questioned the plan of having Section attorneys mentor new attorney members. Alan Forst noted that mentoring is an initiative by the Bar (editor's note: the Bar was contemplating implementing a formal mentorship program, but recently tabled that proposal) and that the Section needed to give some thought to organizing a program to provide mentorship services for new lawyers without L&E mentors at their firms.

With regard to the Directory, it was decided that pictures should not be included because it increases the size and becomes more expensive. Flagship is willing to handle the advertising for the Directory, which will offset their costs. Alan does not want the Directory to cost the Section anything out-of-pocket as long as Flagship is willing to publish and handle the advertising. The down-side of publishing the Directory in-house is that while the Section may make money, it will also have the associated costs and effort. The options are:

1. Use the 2006 Directory with no changes;
2. Update the Directory in-house; or
3. Use Flagship with the Section determining the sponsors.

Damon proposed a vote on the options, which was seconded by Susan Dolin. A motion was then made for Scott Fisher to negotiate with Flagship and to limit their advertising categories. The motion was seconded by Walter. The motion was further amended to not allow law firms or individual lawyers to advertise. The motion was again amended to leave the approval process up to Scott. Alan called the motion for a vote and it was approved as last amended.

#### **IV. New Business**

Grier Wells reported that the By-Laws, as amended, were preliminarily approved for the Labor and Employment Section. He anticipates it will pass through the remainder of the process for approval by the Bar. He noted there are inconsistencies among the Bar's sections as to outside members. He also indicated that Alan did a great job with the presentation to the Bar for amendment of the By-Laws, as the Board of Governors realized they were in the presence of greatness.

#### **V. Chair's Report**

Alan reported that the Section contributed \$500 to the Jimmy Ryce Foundation and also sent flowers. Alan stated planning would soon begin for a seminar on August 28, 2009 at the Hard Rock Hotel in Hollywood, Florida. The Presidential Showcase will take place at the Florida Bar Annual Meeting after the Judicial Luncheon and Jill and Greg are working on speakers/faculty for that event. The next Executive Council Meeting is May 1<sup>st</sup> in Washington D.C. Scott moved for adjournment, Dan seconded, and the meeting was adjourned.

#### **ROLL CALL**

Alan Forst  
Eric Holshouser  
Jill Schwartz  
S. Grier Wells  
David Block  
Susan Dolin  
Greg Hearing  
Patrick Martin  
Jonathan Oliff  
Cary Singletary  
Walter Aye  
Frank Brown  
Damon Kitchen  
Daniel Levine  
Shane Munoz  
Ray Poole

Cynthia Sass  
Marc Snow  
Bob Turk  
Stephanie Ray  
Jeannette Albo  
Bill Cassidy  
Julie (McCoy?)  
Captain Stubbing  
Leslie Stein

PHONE ATTENDANCE

Steve Meck  
Sherril Colombo

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